

Court No. 6
(265719)

11.06.2025
(AD 13)
(S. Banerjee)

CO 1856 of 2025

Jayanta Kumar Dey
Vs.
Jyotsna Dey nee Bera

Mr. Tathagata Majumdar
Ms. Neha Chakraborty

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the husband and is directed against order/judgment dated January 28, 2025 passed by the learned Additional District Judge, 14th Court at Alipore in Miscellaneous Case No. 100 of 2019, arising out of Matrimonial Suit No. 594 of 2018. By the order impugned the learned trial judge directed the husband/petitioner to pay a sum of Rs. 9,000/- per month to the wife as alimony pendente lite with effect from filing of the application for alimony till the disposal of the matrimonial suit.

Learned advocate appearing for the petitioner submits that since the petitioner is a retired person, it is very difficult for him to pay the amount of alimony at the rate as directed by the learned trial judge. He further submits that the number of instalments for liquidating the arrears be increased.

However, after going through the materials on record this court finds that the learned trial judge has noted that the husband/petitioner is earning at least Rs. 38,000/- per month. The wife-opposite party has no independent income of her own. Considering the income of the petitioners, this court is of the view that the quantum of alimony fixed by the learned trial judge is a reasonable amount.

For such reasons this court is not inclined to interfere with the quantum of alimony as directed to be paid by the husband to the wife by the order impugned.

The learned trial judge has also granted reasonable number of instalments for liquidating the arrear maintenance amount.

For all the aforesaid reasons this court is not inclined to interfere with the order impugned.

At this stage learned advocate appearing for the petitioner submits that the particulars of the bank account furnished by the wife, is an incorrect one and he prays that a direction be passed upon the wife/opposite party to furnish the correct particulars of her bank account.

The petitioner will be at liberty to make such prayer before the learned trial judge and if such

prayer is made, the learned trial judge will consider and dispose of the same in accordance with law.

With the above observations CO 1856 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)